

INTERNATIONAL COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 9.71597/001	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 00/ 03378	International filing date <i>(day/month/year)</i> 31/08/2000	(Earliest) Priority Date <i>(day/month/year)</i> 31/08/1999
Applicant ALPHARMA AS et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☒ furnished subsequently to this Authority in written form.

☒ furnished subsequently to this Authority in computer readable form.

☒ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ **None of the figures.**

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB 00/03378

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C07K14/00 C07K14/79 A61P31/00 A61P35/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C07K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal, WPI Data, PAJ, SEQUENCE SEARCH, BIOSIS, MEDLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 98 06425 A (MOTAS CECILIA ;HOLDINGBOLAGET VID GOETEBORGS (SE); MATTSBY BALTZER) 19 February 1998 (1998-02-19) claims; examples	1,12,16, 19,20
A	WO 96 31537 A (PICOWER INST MED RES) 10 October 1996 (1996-10-10) claims; examples	1,12,16, 19,20
A	WO 98 33509 A (NUIJENS JAN ;PHARMING BV (NL); BERKEL PATRICK H C VAN (NL)) 6 August 1998 (1998-08-06) claims; examples	1,12,16, 19,20

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

31 January 2002

Date of mailing of the international search report

15/02/2002

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FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 22 23

Present claims 1-21 relate to an extremely large number of possible compounds, products and methods. In fact, the claims contain so many options that a lack of clarity (and/or conciseness) within the meaning of Article 6 PCT arises to such an extent as to render a meaningful search of the claims impossible. Consequently, the search has been carried out for those parts of the application which do appear to be clear (and/or concise), namely those compounds, products and methods recited in the examples and closely related homologous compounds, products and methods.

Present claims 22-23 relate to products and methods defined by reference to a desirable characteristic or property, namely being a biomimetic compound equivalent to a peptide claimed for in claims 1-11 and methods of production.

The claims cover all products and methods having this characteristic or property, whereas the application provides no support within the meaning of Article 6 PCT and/or no disclosure within the meaning of Article 5 PCT. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the products and methods by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, no search has been carried out.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

The present invention relates to a method of producing a bioactive peptide, wherein said peptide is 7 to 25 amino acids in length, has at least 3 cationic amino acids and is capable of forming an amphipathic α -helix, which method comprises identification of a cationic sector and division of the remaining part of the peptide into three further sectors which are substantially equal in size, and incorporation of at least 60 % of the bulk and lipophilicity provided by the amino acid R groups into the sectors flanking the cationic sector; and to uses of the peptides produced thereby in therapy, particularly in the treatment of benign or malignant tumours.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 00/03378

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9806425	A	19-02-1998	AU 3872797 A EP 0920331 A1 JP 2001504447 T WO 9806425 A1	06-03-1998 09-06-1999 03-04-2001 19-02-1998
WO 9631537	A	10-10-1996	AU 5386996 A CA 2217572 A1 EP 0827511 A1 JP 11504316 T WO 9631537 A1 US 5962245 A US 5855882 A US 5861238 A US 5891341 A US 6319468 B1	23-10-1996 10-10-1996 11-03-1998 20-04-1999 10-10-1996 05-10-1999 05-01-1999 19-01-1999 06-04-1999 20-11-2001
WO 9833509	A	06-08-1998	US 6333311 B1 AU 6307698 A EP 1017407 A2 WO 9833509 A2	25-12-2001 25-08-1998 12-07-2000 06-08-1998